

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VICTORIANO TAVAREZ, *Individually and  
On Behalf of All Others Similarly Situated*,

Plaintiff,

-against-

PROSPINACH, LLC,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 7/18/2022

21-cv-10055 (MKV)


ORDER

MARY KAY VYSKOCIL, United States District Judge:

In an Order dated June 21, 2022, the Court directed the parties to participate in the Court-annexed Mediation Program [ECF No. 15]. Today, the Court received a report from the mediator stating that the court-ordered mediation was not held because one or both parties failed or refused to participate. Accordingly, IT IS HEREBY ORDERED that, by 5:00 p.m. on July 21, 2022, the parties shall file a joint letter explaining why the mediation was not held. **Counsel and the parties themselves are on notice that failure to comply with court order may result in sanctions, including monetary fines, preclusion of claims and defenses, and dismissal of this action with prejudice.**

**SO ORDERED.**

**Date: July 18, 2022  
New York, NY**

  
MARY KAY VYSKOCIL  
United States District Judge